



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Baltimore Field Office

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January 11, 2008

VIA ELECTRONIC TRANSMISSION AND U.S. MAIL

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Philadelphia, PA 19103-2097

Re: EEOC v. LA Weight Loss (Pure Weight Loss)
Case No. WDQ-02-CV-648

Dear Bruce and David:

The U.S. Equal Employment Opportunity Commission ("EEOC") is in receipt of your client's correspondence with Judge Quarles dated January 9, 2008, informing the Court of your client's cessation of operations and intention to make a filing with the U.S. Bankruptcy Court. EEOC enforcement actions are exempted from the automatic stay provision of the Bankruptcy Code. See, e.g., 11 U.S.C. § 362(b)(4) & (5); EEOC v. McLean Trucking Co., 834 F.2d 398, 402 (4th Cir. 1987); EEOC v. Rath Packing Co., 787 F.2d 318, 325-26 (8th Cir. 1986). Accordingly, EEOC will proceed with its prosecution of this action.

In light of the foregoing, as well as the upcoming due date for the pre-trial order in this matter, EEOC requests identification of person(s) with the authority to state whether your client will continue to defend this action and, if your client intends to do so, with the authority to represent your client during preparation of the pre-trial order. Please feel free to call me at (410) 209-2737. Thanks.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Phillips", is written over the typed name.

Ronald L. Phillips
Senior Trial Attorney